IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 8139 of 1997

Between:

M/s.Satyanarayana Talkies,

Penarjipet, Eluru,

West Godavari District,

Rep. by its Partner

S.Satyanarayana

..... PETITIONER

AND

1. The Union of India,

Rep. by its Finance Secretary,

Central Secretariat,

New Delhi.

2. Bank of Baroda, Gannavaram Branch,

Eluru, West Godavari District.

3. The Chairman, Debt Recovery Tribunal,

Bangalore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may b pleased to issue a writ, order or direction declaring the O.A.No.74/96 on the file of Debt Recovery Tribunal after declaring Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (Act No.51 of 1993) as illegal, invalid and unconstitutional.

Counsel for the Petitioner:MR.K.CHIDAMBARAM

Counsel for the Respondent No.: MR.P.INNAYYA REDDY

The Court made the following :

ORDER:

The Writ Petition is filed for a writ of mandamus declaring O.A.No.74/96 on the file of 3rd respondent-Debt Recovery Tribunal, Bangalore (sitting at Hyderabad) as not maintainable after declaring Recovery of Debts Due to Banks and Financial Institutions Act, 1993, Act No.51 of 1993, as illegal and unconstitutional and to pass such other suitable orders.

In view of the fact that the Apex Court already upheld the validity of the aforesaid Act in its decision in **UNION OF INDIA Vs. DELHI HIGH COURT BAR ASSOCIATION** no further orders need be passed in the present Writ Petition.

The Writ Petition is accordingly dismissed. No costs.

P.S.Narayana.,J

Dt.21-12-2004

AM

To:

1. The Union of India,

Rep. by its Finance Secretary,

Central Secretariat,

New Delhi.

2. Bank of Baroda, Gannavaram Branch,

Eluru, West Godavari District.

3. The Chairman, Debt Recovery Tribunal,

Bangalore.